

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 17th day of June, 2013 the City Council of the City of Aransas Pass convened in a Regular Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Adan Chapa Mayor
Phillip Hyatt Mayor Pro Tempore
Ramiro Gomez Council Member
Billy Ellis Council Member
Vickie Abrego Council Member

ABSENT:

ADMINISTRATIVE

PERSONNEL PRESENT: Allen Lawrence City Attorney
Sylvia Carrillo City Manager
Yvonne Stonebraker City Secretary

ADMINISTRATIVE

PERSONNEL ABSENT:

STAFF PRESENT: Bill Haines Admin. Coordinator/EMC
Eric Blanchard Police Chief
Earl Buckmaster Harbor Master

OTHERS PRESENT: Annita West, Arnulfo & Olivia Torres, Donald & Jeanie Brummett, Mike & Jan Moore, David Underbrink/Naismith Engineering, Brian & Jennifer Van Metre, Randall Simpson, Randy & Jeanne Hunter, Lupe Torres, Patsy Lawrence and John Mullenax.

There may have been others present who did not sign in.

1. **CALL MEETING TO ORDER.**

Mayor Chapa called the meeting to order at 7:00 P.M. on June 17, 2013.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Council Member Abrego gave the invocation. Mayor Chapa led the Pledge of Allegiance to the United States Flag.

3. **CONSENT AGENDA.**

A. **CONSIDER AND ACT ON MINUTES OF JUNE 3, 2013.**

B. **CONSIDER AND ACT ON ORDINANCE NO. 2013-4032 – AN ORDINANCE AMENDING CHAPTER 9 – FIRE PROTECTION AND PREVENTION; ARTICLE III – FIREWORKS; SEC 9-46 – TERRITORIAL APPLICABILITY OF THE CODE OF ORDINANCES OF THE CITY OF ARANSAS PASS, TEXAS, PERTAINING TO PROHIBITION OF USE OF FIREWORKS WITHIN CERTAIN AREAS OF THE CITY; PROVIDING A REPEALER CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.**

C. **CONSIDER AND ACT ON ORDINANCE NO. 2013-4033- AN ORDINANCE OF THE CITY OF ARANSAS PASS, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF ARANSAS PASS, TEXAS, BE AMENDED BY ADDING A**

NEW SECTION, ARTICLE V "GRAFFITI", TO CHAPTER 18; PROVIDING A REPEALER CLAUSE; AND, PROVIDING FOR AN EFFECTIVE DATE.

- D. CONSIDER AND ACT ON ORDINANCE NO. 2013-4034 – AN ORDINANCE AMENDING CHAPTER 13 – HARBORS AND WATERWAYS - SECTION 13-36 - MOORING, UN-MOORING AND SHIFTING CHARGES -, OF THE CODE OF ORDINANCES OF THE CITY OF ARANSAS PASS, TEXAS, PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member Ellis made a motion to approve the consent agenda. Mayor Pro Tem Hyatt seconded the motion and the motion carried unanimously.

4. CONSIDER AND ACT ON REQUEST OF ST. MARY'S STAR OF THE SEA CATHOLIC CHURCH TO CLOSE RIFE STREET BETWEEN GOODNIGHT AVENUE AND WILSON AVENUE FROM 10:30 AM TO 6:00 PM, FOR THEIR 5TH ANNUAL FALL FESTIVAL ON SATURDAY, SEPTEMBER 21, 2013.

Council Member Abrego made a motion to approve the request of St. Mary's Star of the Sea Catholic Church to close Rife Street between Goodnight Avenue and Wilson Avenue from 10:30 am to 6:00 pm, for their 5th Annual Fall Festival on Saturday, September 21, 2013. Council Member Gomez seconded the motion and the motion carried unanimously.

5. PUBLIC HEARING ON REQUEST OF MR. JOSHUA WAGNON FOR A CONDITIONAL USE PERMIT TO OPERATE A TATTOO SHOP. THE PROPERTY IS DESCRIBED AS LOTS 1 & 2, BLOCK 511, ARANSAS PASS, 0.161 ACRES, 131 S. HOUSTON AVENUE, ARANSAS PASS, TEXAS, SAN PATRICIO COUNTY.

City Attorney Allen Lawrence opened the Public Hearing at 7:06 pm.

He asked if there was anyone present to speak on this request.

Mr. Joshua Wagon stated he was 36 years old, had been tattooing for 12 years and had lived in Aransas Pass for the last 6 years. He stated he was tired of traveling back and forth to Corpus Christi and would like to establish a business here in Aransas Pass and would like to bring his clientele with him.

Attorney Lawrence asked if there was anyone present who was in favor of this request.

There were many hands raised in the audience.

Attorney Lawrence asked if there was anyone present in opposition of this request.

There were none.

Attorney Lawrence closed the Public Hearing at 7:10 pm

6. CONSIDER AND ACT ON REQUEST OF MR. JOSHUA WAGNON FOR A CONDITIONAL USE PERMIT TO OPERATE A TATTOO SHOP. THE PROPERTY IS DESCRIBED AS LOTS 1 & 2, BLOCK 511, ARANSAS PASS, 0.161 ACRES, 131 S. HOUSTON AVENUE, ARANSAS PASS, TEXAS, SAN PATRICIO COUNTY.

Mayor Pro Tem Hyatt made a motion to approve the request of Mr. Joshua Wagon for a Conditional Use Permit to operate a Tattoo Shop. The property is described as Lots 1 & 2, Block 511, Aransas Pass, 0.161 Acres, 131 S. Houston Avenue, Aransas Pass, Texas, San Patricio County. Council Member Ellis seconded the motion and the motion carried unanimously.

7. CONSIDER AND ACT ON APPROVING CITY OF ARANSAS PASS ENTERING IN TO A TEN FOOT (10') WIDE ELECTRICAL UTILITY EASEMENT AND RIGHT-OF-WAY WITH AEP TEXAS CENTRAL COMPANY ON CONN BROWN HARBOR.

Mayor Pro Tem Hyatt made a motion to approve City of Aransas Pass entering into a Ten Foot (10') wide Electrical Utility Easement and Right-of-Way with AEP Texas Central Company on Conn Brown Harbor. Council Member Ellis seconded the motion and the motion carried unanimously.

8. **CONSIDER AND ACT ON APPROVING THE TERMS AND CONDITIONS WITH THE AT & T PHONE CONTRACT FOR THE ARANSAS PASS POLICE DEPARTMENT.**

Council Member Abrego made a motion to approve the terms and conditions with the AT&T Phone Contract for the Aransas Pass Police Department. Council Member Gomez seconded the motion and the motion carried unanimously.

9. **CONSIDER AND ACT ON AN ORDINANCE AMENDING CHAPTER 13- HARBORS AND WATERWAYS; SECTION 13-20 – OBSTRUCTION OF NAVIGATION AND BOAT TRAFFIC, OF THE CODE OF ORDINANCES OF THE CITY OF ARANSAS PASS; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

City Manager Carrillo stated by amending Chapter 13-Harbors and Waterways; Section 13-20 – Obstruction of Navigation and Boat Traffic would allow boaters to temporarily drop anchor in Conn Brown Harbor for special events.

Council Member Ellis made a motion to approve an ordinance amending Chapter 13 – Harbors and Waterways; Section 13-20 – Obstruction of Navigation and Boat Traffic, of the Code of Ordinances of the City of Aransas Pass; providing a repealer clause; and providing for an effective date. Mayor Pro Tem Hyatt seconded the motion and the motion carried unanimously.

10. **CONSIDER AND ACT ON AMENDING THE CITY OF ARANSAS PASS PERSONNEL POLICY BY CREATING AN INTERNSHIP PROGRAM THAT IS EXEMPT FROM TMRS AND CITY BENEFITS; AND REMOVING THE GED REQUIREMENT FROM LABORER POSITIONS, AS WELL AS ADDING THE CONCEALED HANDGUN POLICY REQUIREMENTS TO THE POLICY.**

Council Member Abrego made a motion amending the City of Aransas Pass Personnel Policy by creating an internship program that is exempt from TMRS and City benefits; and removing the GED requirement from laborer positions, as well as adding the Concealed Handgun Policy requirements to the policy. Mayor Pro Tem Hyatt seconded the motion and the motion carried unanimously.

11. **CITY MANAGER UPDATES:**

- DEVELOPMENT COUNCIL
- HARBOR COMMITTEE
- CONN BROWN HARBOR UPDATE-NAISMITH ENGINEERING
- CITY ENGINEER SEARCH
- BUILDING OFFICIAL SEARCH
- BUDGET WORKSHOPS-SCHEDULE OF EVENTS
- JACKSON HOTEL UPDATE
- CODE ENFORCEMENT SWEEP
- PROPOSED WATER RATES

City Manager Carrillo stated Development Council had met 6 times already and one of the issues they were discussing were lot sizes in Aransas Pass. She stated the Development Council met on Tuesdays.

City Manager Carrillo stated the Harbor Committee had been reviewing the “Charrette” (In 2007, the Council worked with students from Texas A&M University, College Station, in the 4th year Landscape Architecture Studio to develop a long range vision and explore development opportunities for the Conn Brown Harbor. The “Charrette” can be viewed on the City of Aransas Pass’ website.)

City Manager Carrillo stated she had received some good applications for City Engineer and Building Official positions.

City Manager Carrillo stated the 30 day "Notice of Demolition" for the Jackson Hotel would end Wednesday, June 19, 2013.

City Manager Carrillo stated the City would advertise a code enforcement sweep to get Aransas Pass hurricane ready i.e. keep yards mowed and free of debris.

City Manager Carrillo stated once San Patricio Municipal Water District adopted their Phase II Drought Contingency Plan, the City of Aransas Pass would adopt their Phase II Drought Contingency Plan and place a surcharge on water usage that would affect the citizens of Aransas Pass' water bills.

12. CITIZENS COMMENTS.

Mr. Mike Moore stated September 2013 would be the cut off for grants for next year if the city was interested in more federally funded projects.

City Manager Carrillo stated Andy Goldbloom with Texas Parks and Wildlife would be in Aransas Pass next Wednesday. City Manager Carrillo stated this was her first time to work Shrimporee and that city staff was great and was very impressed with the awesome turn out. She stated while Shrimporee was going on, there was also a fishing tournament on Conn Brown Harbor. She stated the fishing tournament received national coverage and the city handed out over 5,000 flyers advertising the city's app.

13. ADJOURNMENT OF MEETING.

Council Member Gomez made a motion to adjourn the meeting. Council Member Ellis seconded the motion and the motion carried unanimously.

Mayor Chapa adjourned the meeting at 7:46 P.M.

Adan Chapa, Mayor

ATTEST:

Yvonne Stonebraker, City Secretary